

REMARKS

Reconsideration of the Restriction Requirement is respectfully requested.

The Examiner has maintained that two patentably distinct groups of inventions exist in this application, as follows:

Group I: Claims 1-18 and 20-26, drawn to process and apparatus for shape sorting an aspect ratio material.

Group II: Claims 19 and 27-31, drawn to a constituent of wollastonite ore.

Applicants provisionally elect, with traverse, the invention of Group I, that is, claims 1-18 and 20-26.

It is respectfully submitted that a search and examination of the elected claims 1-18 and 20-26 of Group I will overlap a search for claims 19 and 27-31 of Group II. Therefore, a simultaneous search for the claims of Groups I and II would appear to be possible without substantial increase in the search effort.

Since a search of the non-elected claims 19 and 27-31 of Group II appears necessary for a complete search and examination of the elected claims 1-18 and 20-26 of Group I, the search and examination of all claims 1-31 in this application should be conducted without serious burden. Accordingly, it is believed that the guidelines of MPEP §803 are applicable. MPEP §803 states:

If the search and examination of all the claims in an application can be made without serious burden, the examiner must examine them on the merits, even though they include claims to independent or distinct inventions.

In view of the foregoing remarks, reconsideration of the restriction requirement is respectfully requested, and that claims 1-31 be examined in this application.

Respectfully submitted,

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RODMAN & RODMAN
10 Stewart Place – Suite 2CE
White Plains, New York 10603

/Charles Rodman/
Charles B. Rodman, Reg. No. 26,798
Attorney for Applicants

Telephone: (914) 949-7210
Facsimile: (914) 993-0668
e-mail : rodrod@rodman-rodman.com
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